

Model Plan
11/22/2013

Trustee: ☐ Marshall ☐ Meyer
☐ Stearns ☐ Vaughn

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

In re:) **Case No.**
)
Gregory Blaszczyk)
Mary J. Blaszczyk)
)
Debtors.) **Original Chapter 13 Plan, dated**

☒ **A check in this box indicates that the plan contains special provisions, set out in Section G. Otherwise, the plan includes no provisions deviating from the model plan adopted by the court at the time of the filing of this case.**

Section A. 1. As stated in the debtor's Schedule I and J, (a) the number of persons in the debtor's household
Budget is 3; (b) their ages are 63, 58, 29; (c) total household monthly income is \$6,731.97; and (d)
items total monthly household expenses are \$5,484.97, leaving \$1,247.00 available monthly for plan payments.

2. The debtor's Schedule J includes \$N/A for charitable contributions; the debtor represents that the debtor made substantially similar contributions for N/A months prior to filing this case.

Section B. 1. The debtor assumes all unexpired leases and executory contracts listed in Section G of this
General plan; all other unexpired leases and executory contracts are rejected. Both assumption and
items rejection are effective as of the date of plan confirmation.

2. Claims secured by a mortgage on real property of the debtor, set out in Section C or in Paragraph 2 of Section E of this plan, shall be treated as follows:

(a) *Prepetition defaults.* If the debtor pays the cure amount specified in Paragraph 5 of Section E, while timely making all required postpetition payments, the mortgage will be reinstated according to its original terms, extinguishing any right of the mortgagee to recover any amount alleged to have arisen prior to the filing of the petition.

(b) *Costs of collection.* Costs of collection, including attorneys' fees, incurred by the holder after the filing of this bankruptcy case and before the final payment of the cure amount specified in Paragraph 5 of Section E may be added to that cure amount pursuant to order of the court on motion of the holder.

3. The holder of any claim secured by a lien on property of the estate, other than a mortgage treated in Section C or in Paragraph 2 of Section E, shall retain the lien until the earlier of (a) payment of the underlying debt determined under nonbankruptcy law, or (b) discharge under 11 U.S.C. § 1328, at which time the lien shall terminate and be released by the creditor.

4. The debtor shall retain records, including all receipts, of all charitable donations listed in Schedule J.

Section C.
Direct
payment of
claims by
debtor

☐ The debtor will make no direct payments to creditors holding prepetition claims. /or/
☒ The debtor will make current monthly payments, as listed in the debtor's Schedule J--
increased or decreased as necessary to reflect changes in variable interest rates, escrow
requirements, collection costs, or similar matters--directly to the following creditors holding
claims secured by a mortgage on the debtor's real property:

Creditor: Fifth Third Bank, monthly payment, \$ 508.00

Section D.
Payments
by debtor
to the
trustee;
plan term
and
completion

1. *Initial plan term.* The debtor will pay to the trustee \$ 1,247.00 monthly for 60 months [and
\$ monthly for an additional months], for total payments, during the initial plan term, of
\$ 74,820.00. [Enter this amount on Line 1 of Section H.]

2. *Adjustments to initial term.* If the amount paid by the debtor to the trustee during the initial
plan term does not permit payment of general unsecured claims as specified in Paragraphs 8 and
9 of Section E, then the debtor shall make additional monthly payments, during the maximum
plan term allowed by law, sufficient to permit the specified payments.

3. *Plan completion.* ☐ The plan will conclude before the end of the initial term, as adjusted by
Paragraph 2, only at such time as all allowed claims are paid in full, with any interest required
by the plan /or/

☒ The plan will conclude before the end of the initial term at any time that the debtor pays to
the trustee the full amounts specified in Paragraphs 1 and 2.

Section E.
Disburse-
ments by
the trustee

The trustee shall disburse payments received from the debtor under this plan as follows:

1. *Trustee's fees.* Payable monthly, as authorized; estimated at 10.00% of plan payments; and
during the initial plan term, totaling \$ 6,798.68. [Enter this amount on Line 2a of Section H.]

2. *Current mortgage payments.* Payable according to the terms of the mortgage, as set forth
below, beginning with the first payment due after the filing of the case. Each of these payments
shall be increased or decreased by the trustee as necessary to reflect changes in variable interest
rates, escrow requirements, or similar matters; the trustee shall make the change in payments as
soon as practicable after receipt of a notice of the change issued by the mortgage holder, but no
later than 14 days after such receipt. The trustee shall notify the debtor of any such change at
least 7 days before putting the change into effect. Any current mortgage payment made by the
debtor directly to the mortgagee shall be deducted from the amounts due to be paid to the trustee
under this plan.

-NONE-

The total of all current mortgage payments to be made by the trustee under the plan is estimated
to be \$ 0.00. [Enter this amount on Line 2b of Section H.]

3.1. *Other secured claims secured by value in collateral.* All secured claims, other than mortgage
claims treated above and claims treated in Paragraph 3.2, are to be paid in full during the plan
term, with interest at an annual percentage rates and in the fixed monthly amounts specified
below regardless of contrary proofs of claim (subject to reduction with the consent of the
creditor):

(a) Creditor: Cook County Clerk

Collateral: Residential Real Estate located at 9001 W.
178th Street, Tinley Park, IL 60487

Amount of secured claim: \$ 31,650.11 APR 0 % Fixed monthly payment: \$ 689.00 ;

Total estimated payments, including interest, on the claim: \$ 31,650.11. ☐ Check if non-PMSI

[All claims in the debtor's Schedule D, other than mortgages treated above and claims for which the collateral has no value, must be listed in this paragraph.]

The total of all payments on these secured claims, including interest, is estimated to be \$ 31,650.11. [Enter this amount on Line 2c of Section H.]

3.2 *Other secured claims treated as unsecured.* The following claims are secured by collateral that either has no value or that is fully encumbered by liens with higher priority. No payment will be made on these claims on account of their secured status, but to the extent that the claims are allowed, they will be paid as unsecured claims, pursuant to Paragraphs 6 and 8 of this section.

-NONE-

4. *Priority claims of debtor's attorney.* Payable in amounts allowed by court order. The total claim of debtor's attorney is estimated to be \$ 2,000.00. [Enter this amount on Line 2d of Section H.]

5. *Mortgage arrears.* Payable as set forth below, regardless of contrary proofs of claim, except that the arrears payable may be reduced either with the consent of the mortgagee or by court order, entered on motion of the debtor with notice to the trustee and the mortgagee. Any such reduction shall be effective 14 days after either the trustee's receipt of a notice of reduction consented to by the mortgagee or the entry of a court order reducing the arrearage.

-NONE-

6. *Allowed priority claims other than those of the debtor's attorney.* Payable in full, without interest, on a pro rata basis. The total of all payments on non-attorney priority claims to be made by the trustee under the plan is estimated to be \$ 0.00. [Enter this amount on Line 2f of Section H.] Any claim for which the proof of claim asserts both secured and priority status, but which is not identified as secured in Paragraphs 2, 3.1, or 3.2 of this section, will be treated under this paragraph to the extent that the claim is allowed as priority claim.

7. *Specially classified unsecured claim.* A special class consisting of the following non-priority unsecured claim: -NONE- shall be paid at N/A % of the allowed amount. The total of all payments to this special class is estimated to be \$ N/A. [Enter this amount on Line 2g of Section H.]

Reason for the special class: N/A.

8. *General unsecured claims (GUCs).* All allowed nonpriority unsecured claims, not specially classified, including unsecured deficiency claims under 11 U.S.C. § 506(a), shall be paid, pro rata, ☐ in full, /or/ ☒ to the extent possible from the payments set out in Section D, but not less than 61 % of their allowed amount. [Enter minimum payment percentage on Line 4b of Section H.] Any claim for which the proof of claim asserts secured status, but which is not identified as secured in section C, or Paragraphs 2, 3.1, 3.2 or 5 of this section, will be treated under this paragraph to the extent that the claim is allowed without priority.

9. *Interest.* ☒ Interest shall not be paid on unsecured claims /or/ ☐ interest shall be paid on unsecured claims, including priority and specially classified claims, at an annual percentage rate of N/A % [Complete Line 4d of Section H to reflect interest payable.]

Section F.
Priority The trustee shall pay the amounts specified in Section E of this Plan in the following order of priority, with claims in a given level of priority reduced proportionately in the event of insufficient plan payments: (1) trustee's fee; (2) current mortgage payments; (3) secured claims listed in Section E, Paragraph 3.1; (4) priority claims of the debtor's attorney; (5) mortgage arrears; (6) priority claims other than those of the debtor's attorney; (7) specially classified non-priority unsecured claims; and (8) general unsecured claims.

Section G.
Special terms Notwithstanding anything to the contrary set forth above, this Plan shall include the provisions set forth in the box following the signatures. The provisions will not be effective unless there is a check in the notice box preceding Section A.

Section H.
Summary of payments to and from the trustee

(1) Total payments from the debtor to the Chapter 13 trustee (subject to Paragraph 2 of Section D) \$ 74,820.00

(2) Estimated disbursements by the trustee for non-GUCs (general unsecured claims):

(a) Trustee's fees	\$	<u>6,798.68</u>
(b) Current mortgage payments	\$	<u>0.00</u>
(c) Payments of other allowed secured claims	\$	<u>31,650.11</u>
(d) Priority payments to debtor's attorney	\$	<u>2,000.00</u>
(e) Payments of mortgage arrears	\$	<u>0.00</u>
(f) Payments of non-attorney priority claims	\$	<u>0.00</u>
(g) Payments of specially classified unsecured claims	\$	<u>0.00</u>
(h) Total [add Lines 2a through 2g]	\$	<u>40,448.79</u>

(3) Estimated payments available for GUCs and interest during initial plan term [subtract Line 2h from Line 1] \$ 34,371.21

(4) Estimated payments required after initial plan term:

(a) Estimated total GUCs, including unsecured deficiency claims under § 506(a)	\$	<u>56,289.62</u>
(b) Minimum GUC payment percentage		<u>61</u> %
(c) Estimated minimum GUC payment [multiply line 4a by line 4b]	\$	<u>34,336.67</u>
(d) Estimated interest payments on unsecured claims	\$	<u>0.00</u>
(e) Total of GUC and interest payments [add Lines 4c and 4d]	\$	<u>34,336.67</u>
(f) Payments available during initial term [enter Line 3]	\$	<u>34,371.21</u>
(g) Additional payments required [subtract Line 4f from Line 4e]	\$	<u>-34.54</u>

(5) Additional payments available:

(a) Debtor's monthly payment less trustee's fees and
current mortgage payments made by the trustee \$ N/A
(b) Months in maximum plan term after initial term N/A
(c) Payments available *[multiply line 5a by line 5b]* \$ N/A

Section I. ☐ A check in this box indicates that the debtor consents to immediate entry of an order
Payroll directing the debtor's employer to deduct from the debtor's wages the amount specified in
Control Paragraph 1 of Section D and to pay that amount to the trustee on the debtor's behalf. If this is a
joint case, details of the deductions from each spouse's wages are set out in Section G.

Signatures Debtor(s) [Sign only if not represented by an attorney]

_____ **Date** _____

Debtor's Attorney /s/ Stuart B. Handelman **Date** 5/21/15

Attorney Information
(name, address,
telephone, etc.)

Stuart B. Handelman
The Law Offices of Stuart B. Handelman, P.C.
200 S. Michigan Avenue, Suite 205
Chicago, IL 60604
(312) 360-0500
Fax: (312) 360-1033

Special Terms *[as provided in Paragraph G]*

- 1) Unsecured claims filed after the bar date shall not be paid by the Trustee
- 2) Where the total amount of the claim is less than the estimate specified in Debtor's plan the creditor shall be paid the amount of its allowed claim and the proof of claim shall constitute a reduction consented to by creditor.
- 3) The debt owed to American Honda Finance for the lease 2014 Honda CRV shall be paid directly by Debtors, outside the plan. Debtors assume the unexpired lease agreement with American Honda Finance for the lease of the 2014 Honda CRV. The discharge language pursuant to Section 1328 of the Bankruptcy Code does not apply to the debt owed to American Honda Finance. American Honda Finance shall not be required to release its security interest until such time the underlying retail installment contract is fully satisfied.
- 4) The debt owed to American Honda Finance for the lease 2013 Honda Civic (account no. x7381) shall be paid directly by Debtors, outside the plan. Debtors assume the unexpired lease agreement with American Honda Finance for the lease of the 2013 Honda Civic. The discharge language pursuant to Section 1328 of the Bankruptcy Code does not apply to the debt owed to American Honda Finance. American Honda Finance shall not be required to release its security interest until such time the underlying retail installment contract is fully satisfied.
- 5) The debt owed to American Honda Finance for the lease 2013 Honda Civic (account no. x6759) shall be paid directly by Debtors, outside the plan. Debtors assume the unexpired lease agreement with American Honda Finance for the lease of the 2013 Honda Civic. The discharge language pursuant to Section 1328 of the Bankruptcy Code does not apply to the debt owed to American Honda Finance. American Honda Finance shall not be required to release its security interest until such time the underlying retail installment contract is fully satisfied.
- 6) Effective February 2016, the fixed monthly payment to Cook County Clerk, in Section E(3.1)(a) of \$689.00, shall increase to \$1,189.00.

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 Northern District of Illinois

In re:
 Gregory Blaszczyk
 Mary J. Blaszczyk
 Debtors

Case No. 15-18094-JPC
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0752-1

User: carmstead
 Form ID: pdf001

Page 1 of 2
 Total Noticed: 36

Date Rcvd: May 26, 2015

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 28, 2015.

db/jdb
 23316786 +Gregory Blaszczyk, Mary J. Blaszczyk, 9001 W. 178th Street, Tinley Park, IL 60487-6170
 23316787 Advanced Call Center, Technologies, LLC, P.O. Box 9091, Gray, TN 37615-9091
 23316789 American Express, Box 0001, Los Angeles, CA 90096-0001
 23316790 +American Student Ast, 100 Cambridge Street, Suite 1600, Boston, MA 02114-2567
 23316791 +Bank Financial FSB, 48 Orland Square Drive, Orland Park, IL 60462-6539
 23316792 Capital One Retail Services, P.O. Box 71106, Charlotte, NC 28272-1106
 23316793 Comenity - Buckle Black, P.O. Box 659704, San Antonio, TX 78265-9704
 23316794 +Comenity - Carson's, PO Box 659813, San Antonio, TX 78265-9113
 23316795 Comenity - Loft, P.O. Box 659705, San Antonio, TX 78265-9705
 23316796 +Cook County Clerk, Tax Redemption Division, 118 N. Clark Street, Room 434, Chicago, IL 60602-1413
 23316797 Delta Management Assoc., Inc., P.O. Box 9191, Chelsea, MA 02150-9191
 23316798 +Department of Education, MOHELA, PO Box 105347, Atlanta, GA 30348-5347
 23316799 +Fair Deal of Illinois Inc., 16 Clover Circle, Streamwood, IL 60107-2361
 23316800 +Fifth Third Bank, 5050 Kingsley Drive, Cincinnati, OH 45227-1115
 23316801 Fifth Third Bank, P.O. Box 740789, Cincinnati, OH 45274-0789
 23316802 +Joliet Cntr. Clinical Research, c/o Collection Professional, 723 1st Street, La Salle, IL 61301-2535
 23316804 +Macy's, P.O. Box 8218, Mason, OH 45040-8218
 23316805 +Malcolm S. Gerald & Assoc, Inc, 332 S. Michigan Ave., Suite 600, Chicago, IL 60604-4318
 23316806 Members Source CU, P.O. Box 96099, Charlotte, NC 28296-0099
 23316807 +Midwest Orthopaedic Consultant, 75 Remittance Drive, Suite 6581, Chicago, IL 60675-6581
 23316808 +Mohela/Dept. of Ed, 633 Spirit Drive, Chesterfield, MO 63005-1243
 23316809 +Nationwide Credit & Collection Inc., 815 Commerce Drive, Suite 270, Oak Brook, IL 60523-8852
 23316811 +Palos Community Hospital, 12251 S. 80th Avenue, Palos Heights, IL 60463-0930
 23316812 Physicians Prompt Care Center LLC, Department 4620, Carol Stream, IL 60122-4620
 23316813 +Radiology & Nuclear Consultants, 311 W. Monroe, 8th floor, Chicago, IL 60606-4660
 23316814 +Silver Cross Hospital, 1900 Silver Cross Blvd., New Lenox, IL 60451-9509
 23316817 +Trace Ambulance Inc., 8400 W. 183rd Place, Tinley Park, IL 60487-6222
 23316819 +U.S. Atty for Northern Dist IL, For Department of Education), 219 S. Dearborn Street, 5th Fl, Chicago, IL 60604-2029

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

23316788 E-mail/Text: ebnbankruptcy@ahm.honda.com May 27 2015 01:14:45 American Honda Finance, 2170 Point Blvd Ste 100, Elgin, IL 60123
 23316798 E-mail/PDF: mrdiscen@discover.com May 27 2015 01:21:49 Discover, P.O. Box 6103, Carol Stream, IL 60197-6103
 23316803 +E-mail/Text: bnckohlnotices@becket-lee.com May 27 2015 01:13:42 Kohl's Payment Center, PO Box 2983, Milwaukee, WI 53201-2983
 23316810 E-mail/PDF: gecsed@recoverycorp.com May 27 2015 00:59:37 Old Navy Visa/SYNCB, P.O. Box 960017, Orlando, FL 32896-0017
 23316815 E-mail/PDF: cbp@springleaf.com May 27 2015 00:59:36 Springleaf, P.O. Box 790368, Saint Louis, MO 63179-0368
 23316816 E-mail/PDF: gecsed@recoverycorp.com May 27 2015 00:59:37 Synchrony Bank/JCP, P.O. Box 960090, Orlando, FL 32896-0090
 23316818 +E-mail/Text: bankruptcydepartment@ncogroup.com May 27 2015 01:14:53 Transworld Systems, Inc., 507 Prudential Road, Horsham, PA 19044-2308
 23316820 E-mail/PDF: gecsed@recoverycorp.com May 27 2015 00:59:46 Walmart/Synchrony Bank, P.O. Box 530927, Atlanta, GA 30353-0927

TOTAL: 8

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 28, 2015

Signature: /s/Joseph Speetjens

District/off: 0752-1

User: carmstead
Form ID: pdf001

Page 2 of 2
Total Noticed: 36

Date Rcvd: May 26, 2015

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2015 at the address(es) listed below:

Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov

Stuart B Handelman on behalf of Debtor Gregory Blaszczyk court@sbhpc.net, ksmith@sbhpc.net, jhuang@sbhpc.net

Stuart B Handelman on behalf of Joint Debtor Mary J. Blaszczyk court@sbhpc.net, ksmith@sbhpc.net, jhuang@sbhpc.net

TOTAL: 3